

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

C.M., *a minor, through his parents, LEAH McGHEE and CHAD McGHEE,*

Plaintiff,

V.

DAVIDSON COUNTY SCHOOL  
DISTRICT BOARD OF  
EDUCATION; *and* ERIC R.  
ANDERSON, in his individual capacity,

Defendants.

1:24CV380

## ORDER

This Court having considered Defendants’ Motion to Seal and Motion for Protective Order for certain information presented in defense of the claims in this lawsuit that may be protected from disclosure to third parties pursuant to The Family Educational Rights and Privacy Act, *See* 20 U.S.C. § 1232(g); *see also* 34 C.F.R. Part 99 (“FERPA”) and the response of Plaintiff’s counsel regarding these issues; and having considered that FERPA prohibits disclosure of educational records and information regarding minors to the public, the public policy in favor of conducting open and accessible hearings in the courts of the United States, and the rights of the Plaintiff and Defendants to present such information in support of their positions in this suit while considering the need to keep certain information regarding minors from disclosure to third parties through public filings and the litigation of this matter; the Court has determined that Defendants shall produce unredacted copies of Defendants’ Opposition to Plaintiff’s Motion for Preliminary Injunction and accompanying exhibits within

14 days of the entry of this Order but further orders, pursuant to the requirements of FERPA, that Defendants employ reasonable efforts to notify any non-party minor's parent or guardian, prior to the production to Plaintiff and Plaintiff's counsel of information regarding any non-party minor, so that the parents or guardians may object to the disclosure of the information before this Court prior to the date set for production to Plaintiff's counsel. If no objections are made or the Court determines that such information should be disclosed despite objections, the unredacted copies will be shared with Plaintiff's counsel as required herein and counsel for the parties shall confer and determine whether or to what extent Plaintiff will consent to the public filing of information related to Plaintiff but currently redacted from public filings pursuant to FERPA within 30 days of this Order.

The Court further orders that the information redacted, but shared with Plaintiff's counsel pursuant to this Order, shall not be disclosed to any third party until further order of this Court.

Within 3 days of the conference described herein, the Defendants will file Amended Defendants' Amended Opposition to Plaintiff's Injunction with the only change being a removal of any redactions to which Plaintiff's guardians, through counsel, have consented to disclose and have waived any protections of that information from disclosure under FERPA. Upon filing of the Defendants' Amended Opposition to Plaintiff's Injunction, the Court shall consider and determine whether the remaining redacted information shall remain confidential and redacted from public filings pursuant to FERPA and enter further order protecting information it determines may not be disclosed in filings or as otherwise directed by the Court.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Motion to  
Seal and Motion for Protective Order is **GRANTED**.

This, the 20th day of December 2024.

/s/ Loretta C. Biggs  
United States District Judge